

NEPA COMPLIANCE RECORD
CATEGORICAL EXCLUSION (CX)
Tucson Field Office

AZ-420-2005-018

Serial/Case File No. AZA 33003

Proposed Action Title/Type: Application for a perpetual Right-of-Way Reservation by the U. S. Army Corps of Engineer and the U. S Border Patrol of the Department of Homeland Security for the installation of temporary vehicle barriers along the U.S// Mexico international boundary for approximately 2 miles on public lands .

Location of Proposed Action (include name of 7.5 topographic map): Within the 60 foot international strip along the U.S./Mexico International Border located in the Lochiel quad map and at:

Gila and Salt River Meridian, Arizona,

T. 24 S., R. 17 E.,
 sec. 22, lots 5 and 6;
 sec. 23, lots 5 and 6;
 sec. 24, lots 5 thru 8.

Containing 14.56 acres.

Santa Cruz County, Arizona

Description of Proposed Action: The proposed action will consist of the placement and installation of temporary vehicle barriers (TVB) which are critical for the use and operations of U. S. Customs and Border Protection (CBO) of the Department of Homeland Security along the U.S./ Mexico border for controlling illegal vehicular border activities. Presently the U. S. Border Patrol feels that TVBs are the appropriate response to prevent vehicular traffic entry across certain areas along the border. The proposed TVB are to be installed in areas where there is no physical infrastructure in place along the border where illegal vehicular traffic hot spots are known or anticipated, and will be utilize until more permanent solutions are developed. The TVBs are designed to impede vehicular traffic and do not preclude wildlife or pedestrian movement.

The proposed vehicle barriers are typically constructed of welded metal such as railroad rail, but may also be constructed of telephone poles or pipe, and are 10 to 12 feet long and stand 4 to 6 feet high. For this proposed action the TVBs will be constructed from railroad rails. See Attached photo. The TVBs cannot be rolled or moved manually, and must be lifted using a forklift or front end loader. The TVBs are to be placed along the southern edge of existing border roads to minimize disturbance to wildlife and vegetation; every two barrier sections will be chained/cabled

together above ground, with a flag, tape or reflector installed on the connection for safety reasons. No ground disturbances would occur during the installation of the barriers.

Applicant (if any): U. S. Army Corps of Engineers c/o U.S. Border Patrol of the Department of Homeland Security.

PART I: PLAN CONFORMANCE REVIEW. This proposed action is subject to the following land use plan: Safford District Resource Management Plan, dated, August 1991; Land Tenure Amendment to the Safford District Resource Management Plan, dated, July 21, 1994.

The proposed action has been reviewed and determined to be in conformance with this plan (43 CFR 1610.5, BLM MS 1617.3).

Specialist Signature

Date

PROGRAM CONSULTATION & COORDINATION/CX CHECKLIST
BUREAU OF LAND MANAGEMENT
TUCSON FIELD OFFICE

PART II: CATEGORICAL EXCLUSION REVIEW

Turbo NEPA #: AZ-420-2005-018

ASSIGNMENT AND REVIEW

Subactivity: 1430

Case/Project No.: AZA 33003

Project Name: U.S. Army Corps of Engineer c/o U. S. Border Patrol

Location (legal description): T 24 .S., R. 17 E. sec. 22 -24

NLCS Unit: n/a

Quad Name: Lochiel

Project Lead: Susan D. Bernal, Realty Specialist

Draft Review: Unit Manager/Supervisor: _____ Date: _____

Technical Review:

Exception Applies? Yes No	NAME	EXCEPTION	SIGNATURE	DATE
() ()	Bill Auby	(1) Have Significant adverse effects on public health or safety?		
() ()	Francisco Mendoza	(2) Have adverse effects on such unique geographic characteristics as historic or cultural resources, parks, recreation or refuge lands, wilderness areas, wild or scenic rivers, sole or principal drinking water aquifers, prime farmlands, wetlands, floodplains or ecologically significant or critical areas including those listed on the Department's National Register of Natural Landmarks.		
() ()	Jack Whetstone	(3) Have highly controversial environmental effects.		
() ()	Bill Auby	(4) Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.		
() ()	Dan Moore	(5) Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.		
() ()	Francisco Mendoza	(6) Individually Insignificant, but cumulatively significant effects.		
() ()	Max Witkind	(7) Have adverse effects on properties listed or eligible for listing on the National Register of Historic Places.		
() ()	Jack Whetstone	(8) Have adverse effects on species listed on the List of Endangered or Threatened Species, or have adverse effects on designated Critical Habitat for these species.		
() ()	Jack Whetstone	(9) Require compliance with EO 11988, 11990 (Protection of Wetlands) or the Fish and Wildlife Coordination Act.		
() ()	Dan Moore	(10) Threaten to violate a Federal, State, local or tribal law or requirement imposed for the protection of the environment.		

Final Review:

Unit Manager/Supervisor: _____ Date: _____

Environmental Coordinator: _____ Date: _____

Field Manager: _____ Date: _____

This proposed action qualifies as a categorical exclusion under 516 DM 6, Appendix 5.4., E-18. It has been reviewed to determine if any of the exceptions described in 516 DM 2, Appendix 2, apply.

The action does not have significant adverse effects on public health and safety nor does the action adversely affect such unique geographic characteristics as historic or cultural resources, parks, recreation, or refuge lands, wilderness areas, wild or scenic rivers, sole or principal drinking water aquifers, prime farmlands, wetlands, floodplains, or ecologically significant or critical areas, including those listed on the Department's National Register of Natural Landmarks. The action does not have highly controversial environmental effects nor have highly uncertain environmental effects or involve unique or unknown environmental risk nor does it adversely affect a species listed or proposed to be listed on the list of endangered or threatened species. It does not establish a precedent for future action or represent a decision in principle about a future consideration with significant environmental effects or related to other actions with individually insignificant but cumulatively significant environmental effects. The proposed action does not adversely affect properties listed or eligible for listing in the National Register of Historic Places or threaten to violate a Federal, State, local or tribal law or requirements imposed for the protection of the environment or which require compliance with Executive Order 11988 (Floodplain Management), Executive Order 11990 (Protection of Wetlands) or the Fish and Wildlife Coordination Act.

Mitigation Measures/Stipulations:

1. No hazardous materials are to be stored or used on site. The holder will be responsible for any spillage clean up, soil removal and all associated costs.
2. No wildlife will be harmed, injured or harassed at any time.
3. All construction vehicles and agency vehicles are to remain on existing roads.
4. There shall be no removal or trimming of trees or vegetation within the right-of way area without approval and written consent by BLM.
5. No ground clearing or disturbances shall occur within or outside the right-of-way area.
6. Any cultural and /or paleontological resource (historic or prehistorice site or object) discovered by the right-of-way holder or any person working on its behalf, on BLM administered land must be immediately reported to the Authorized Officer. All work shall be suspended in the immediate area of such discovery until written authorization to proceed is issued by the Authorized Officer. The holder will be responsible for the cost of evaluation and the Authorized Officer will make any decision as to proper mitigation measures after consulting with the holder.
7. The BLM retains the right to occupy and use the right-of-way, and the right to issue or grant rights-of-way or other land uses upon, over, under and through the lands, and

the ultimate right to convey ownership of the land, provided that the occupancy, use, or conveyance will not unreasonably interfere with the rights granted here.

8. At such time as it is determined by the U. S. Border Patrol that permanent barriers and additional infrastructures are needed to replace the TVB, the Border Patrol will submit a request to BLM to amend their right-of-way reservation and along with the project's environmental analysis.

Part III: DECISION. I have reviewed this plan conformance and NEPA compliance record and have determined that the proposed action does not conflict with major land-use-plans and will not have any major adverse impacts on other resources. Therefore, it does not represent an exception, and is categorically excluded from further environmental review. It is my decision to implement the project, as described, with the mitigation measures attached.

Authorized Official: _____ Date: _____